

# U. OF P. TRUSTEES SPEAK AT LAST IN NEARING CASE

Dr. J. W. White Presents  
Board's Side of Free  
Speech Controversy.

TALK, NOT TEACHING,  
CAUSED DISMISSAL

Verances Held to Have Affected  
Good Will and Respect  
for University.

(By Telegram to The Tribune.)

Philadelphia, Oct. 2.—The trustees of the University of Pennsylvania have at last replied to Dr. Scott Nearing and those students and alumni who have been supporting the cause of the former instructor of economics dismissed for radical remarks. In a statement sent out by Dr. J. William White, one of the trustees, he presents the board's side of the controversy. The board's action, he says, was not a dismissal of the trustees, but a statement of the trustees' act.

Dr. White asserts that Dr. Nearing was a teacher and did not recognize the rights of others, particularly the trustees, and thus he aimed sarcasm and abuse at modern and accepted institutions which the trustees were in duty bound to protect. In a way, Dr. Nearing made himself personally objectionable, says Dr. White, by his disregard of the views of others.

Not Too Proud to Fight.

"Dignity is at the best the most coveted of all the alleged virtues; at its worst it is a cloak for cowardice or incompetence. The trustees, I am glad to say, did not invoke it; but I have seen the unauthorized and possibly undignified statement that they would consider it 'undignified' to reply to the charges that have been made upon them.

If there is one person more than another whom I hold in hearty contempt it is the man who is 'too proud to fight.' I can respect the man who holds the theoretical view that all fighting is wrong, provided he has his face slapped. I can pity the man who has the sort of 'judicial temperament' that prevents him from making up his mind whether a given insult or series of insults does or does not justify a fight. I can absolutely excuse a man who is afraid to fight, if he frankly says he's afraid. But the man who is 'too dignified' or 'too proud' to fight should assume to position of responsibility beyond that of an honorary secretary of a peace-at-any-price league, and to be entirely safe he should wear petticoats at the meetings of even that pusillanimous organization.

"If I had been at home and had voted as I would have voted—that the trustees of the University of Pennsylvania have at last replied to Dr. Scott Nearing and those students and alumni who have been supporting the cause of the former instructor of economics dismissed for radical remarks. In a statement sent out by Dr. J. William White, one of the trustees, he presents the board's side of the controversy. The board's action, he says, was not a dismissal of the trustees, but a statement of the trustees' act.

"I did not vote against Dr. Nearing because of his criticisms of certain rules and institutions of certain universities, or because of his presentations to our students of certain 'untested theories.' If these views were not somewhere and somehow presented in the course of an economics I would consider the department to that extent derelict in the discharge of its duty.

Views Anarchistic to Some.

"But as I found sometime ago that views for the full understanding of which a careful logical foundation must be laid, and which, isolated from their interdependence upon correlated facts and theories, would necessarily seem fantastic, extravagant and to some untrained minds—anarchistic, were being laid by Dr. Nearing before persons—not university students—quite unfit to appreciate or digest them, I began to doubt his balance and common sense as a public teacher. That Dr. Nearing made this mistake in his classroom I doubt. But that he made it on numerous occasions before lay audiences, and that his very earnestness and enthusiasm led him into unconscious exaggerations of his own advanced opinions, I believe.

"I also found, long before this year, that sober minded, sensible persons had received from Dr. Nearing the strong impression that he advocated the ruthless redistribution of property; that he believed in the personal iniquity of those who lived on incomes derived even from their own savings, that he thought that the alternative of work or starvation should be presented even to the old, the feeble and the diseased. I knew that my sensible friends had misunderstood him, but the fact that they had been given the opportunity to do so made me still more doubtful of his fitness to represent the university before the public as one of its chosen expounders of the principles of economics. When such incidents multiplied as years went on, and persons whose goodwill and respect for the university seemed to me important were so affected as to lead them to say, sometimes angrily, sometimes sorrowfully, that they could not let their boys be exposed to such influences and when I tried to convince them of their mistaken view of Dr. Nearing—said: 'I know, because I heard him myself,' I realized that it had become my duty

to take action. I was still occupying the position of an advocate and defender when I had brought to my notice several instances, not of wrongdoing, but of foolish extravagance and tactlessness, such as the silly remark about preferring hell to a certain academy for a son of his own and others of a like character that came to the trustees, some probably apocryphal, but some well authenticated. I happen to know that particular piece of 'bad taste' affronted a number of parents who had sent sons to the school in question.

"Faith in Courts Destroyed."

"Among the various heresies to which I subscribe is the doctrine of the recall of judicial decisions. I mention it as further evidence of my remoteness from the corporation owned, hopelessly reactionary trustee of fiction. Yet I strongly object to having the students or the friends of the university told by a member of the faculty that the law and the courts are of no account, and that the only way to get things done is by force.

"I find that, in 1911, Dr. Nearing wrote: 'For three weeks I have been serving on a jury. I entered the panel with a measure of faith in courts and the law. I left the panel with my faith utterly destroyed.' Can that be regarded as judicious or desirable teaching to young men or to audiences untrained in the judicial faculty?"

"It seems to me that the original statement was an extravagant and injudicious, considering that a co-ordinate department of his university was devoted to the teaching of the science in which he announced he had no faith whatever. His public position now, with his approval, even if only as part of extracts from his writings, seems further to stamp it as a deliberate opinion. If he had said that the technicalities of the courts have become absurd, that their decisions are often hard to reconcile with common sense, that they have little by little come to exercise powers that belong to the legislature and to the people, I, personally, would have agreed with him. But to teach that the courts and the law are utterly unworthy of faith is unsound and unsafe. It is the sort of thing that leads, if the seed is sown on favorable soil, to hangings like that which in the Leo Frank case has just disgraced Georgia. And if it is said that it is a mere question of ninety of expression, I would reply that just such ninety may be expected from a competent teacher.

"No Educational Donations."

"With the intensely disagreeable duty of soliciting contributions to the university, it is undesirable—indeed, it is positively harmful—to be handicapped by statements like the following, put forth by Dr. Nearing and, of course, offering a convenient handle to the whole, benevolently inclined, but not aggressively so, and who are often not averse to being supplied with a good ready-made excuse for a declaration of postponement. Dr. Nearing says the trustees are mine to them and to their congeners: 'Private wealth has been able to control political parties and the Church; let it not control the schools. The schools must not take a dollar from any private donor. There must be no educational donations save the tax which all the people pay. They have put the college professors on the pension list—they have got the old fellow—but the young professors are not so

interested in pensions. But so long as you have your college presidents and your college professors on the payroll of corporation foundations, you will have the policies of your higher institutions dictated by the corporations and those corporation interests."

Glib Transfer of Dissimilar Ideas.

"Scarcely less objectionable are the magnifying of the acceptance of individual donations or of pensions into the putting of presidents and professors on the payroll of corporation foundations, (by the use of 'foundations' here, he seems still to be writing of the pension fund which has brought such a sense of comfort and security to so many hardworking teachers) or the distortion of the country, and the unqualified assertion that as a result we 'will have' (he doesn't even say 'may have') the policies of the 'higher institutions of learning' dictated by the corporation interests. The glib transfer of corporation 'foundations' into corporation 'interests'—surely two dissimilar ideas—either for the sake of a little final touch of sarcasm or for the sake of loose use of disjunctive thought, is in making this particular bit of Dr. Nearing's teaching sufficiently typical, not of the bulk of his work, but of the two numerous exceptions, to confirm me, as I have said, in my belief in his lack of charge of my duty as a trustee I would have voted with the majority of my colleagues.

Finally I should like to be understood to say, for my knowledge, I believe the board as a whole would again subscribe to the declaration of principles unanimously adopted in 1914. One of these 'principles' which Dr. White quotes in conclusion was:

"Infallible wisdom cannot be expected to hover continuously over the chairs of all professors, any more than over all board members of trustees, or over all members of any other official bodies. Differences of opinion must always exist. But if sanity and good temper and sober-mindedness are kept in view by all persons concerned, trustees, professors, students and public, the will seldom be any occasion for criticism, and none at all for an outcry on behalf of liberty of opinion and freedom of speech at the University of Pennsylvania."

CARRANZA SHIFTS  
BORDER GENERAL

Nafarrate's Transfer Brightens  
Peace Outlook.

Brownsville, Tex., Oct. 2.—The transfer of General E. P. Nafarrate, Carranza's commander-in-chief, from this section of the border—a change which American officers here consider highly important in helping to restore peace on the international boundary—was announced by General Nafarrate himself today. He said Carranza had now with the Carranza army near Torreon, was to succeed him at Matamoros.

(By Telegram to The Tribune.)

El Paso, Tex., Oct. 2.—Villa's soldiers are dropping from hunger, his horses are dying from starvation, and his officers and men, in open revolt, are demanding food and clothing, according to refugees arriving to-day from Chihuahua.

Americans coming out of Villa territory say Villa's troops are scattered along the railroad from Chihuahua west, with no fuel to move them.

MARINES TO LEAVE HAITI

United States Forces Will Withdraw  
After Rebels Disarm on Tuesday.

Cape Haytien, Oct. 2.—In consequence of the agreement between the Haytian rebels and the officers of the American expeditionary force, the rebels will deliver their arms to the Americans on Tuesday.

The agreement for cessation of hostilities was ratified yesterday. The American staff, accompanied by Lemuel W. Livingston, American Consul at Cape Haytien, and General Carlos Zamora, ex-Minister of the Interior, went to Quarter Morin, six miles out of this city, and there met the rebel leaders. A formal agreement was drawn up and signed.

The rebel leaders returned to Cape Haytien with the Americans, and details regarding the surrender of arms were completed. It was agreed that after the Haytiens disarm the marines from the American battleship Connecticut will be withdrawn from Haytien scil.

U. S. CONSULAR AGENT DEAD

Edward A. Powers Was Representative  
in Parral, Mexico.

El Paso, Tex., Oct. 2.—American Consul Thomas D. Edwards at Juarez, was notified by Consul Marion Letcher, at Chihuahua, of the death of Edward A. Powers, American consular agent at Parral, Chihuahua.

Mr. Powers was a native of New Haven, and was appointed to the agency at Parral two years ago, after thirty years' residence in Mexico.

UNTERTMYER FIGHTS TAXES

Enjoins Yonkers from Selling Part of  
Greystone Estate.

Samuel Untermeyer, whose fights in behalf of minority stockholders have won him many thousands of dollars as a corporation lawyer, is now engaged in a fight with the tax assessors of Yonkers to save himself from the can of a \$2,000 assessment for a sewer near his property. Part of his extensive estate, Greystone, on North Broadway, Yonkers, has been advertised for sale for non-payment of the sewer assessment.

To prevent the property going on the block, however, an injunction has been obtained staying the sale until the Supreme Court can decide whether the tax is exorbitant or not. Mr. Untermeyer thinks it is, and through his counsel, General R. E. Prime, has entered a protest.

He explained at his house last night that the assessment of sale was merely a technicality, and that his fight with the tax authorities was entirely a friendly one.

Mr. Untermeyer has on previous occasions fought assessors at Juarez, Greystone, for public improvements, and on one occasion forced the city to compromise a long-drawn contest on the ground that the labor law under which the workmen made the improvement was unconstitutional.

OSBORNE ATTACKS PRESS

Sing Sing Warden Says Papers Want  
His Official Seal.

Although he admitted he had no quarrel with the newspapers, Thomas Mott Osborne last night attacked them hammer and tongs. Speaking last evening at the Industrial Education Exposition in Madison Square Garden, the warden of Sing Sing intimated that the press was after his scalp, criticized the newspapers for giving precedence to what he termed unimportant news, and hinted that frequently news of the prison was distorted. Incidentally he told the educators that the main cause for men being in penal institutions was the lack of proper vocational training in their youth.

"Auburn's Mutual Welfare League," he said, "is a year older than ours at Sing Sing and it is coming along nicely because the newspapers are not after it. When they want the facts of a matter they get them from the prison office and do not distort them. At Auburn the league is prospering in a peaceable way. Our organization is coming along peaceably or otherwise."

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